

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>STANLEY N. OZOROSKI,</b>	:	<b>CIVIL ACTION NO. 1:08-CV-0082</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>DR. FREDERICK R. MAUE, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 16th day of March, 2009, upon consideration of plaintiff's third amended complaint (Doc. 65), permissively filed pursuant to the memorandum and order of court (Doc. 63) dated February 18, 2009, and it appearing that Jeffrey A. Beard ("Beard") was dismissed as a defendant in the above-captioned matter, (see id. at 7 n.9), and that the official capacity claims were dismissed with prejudice against defendants Dr. Frederick R. Maue ("Maue") and Marva Cerullo ("Cerullo"), (id. at 11-12; order ¶ 2(a)), but that plaintiff's third amended complaint re-alleges claims against Beard, (see Doc. 65), as well as official capacity claims against both Maue and Cerullo, (see id.), it is hereby ORDERED that plaintiff's third amended complaint (Doc. 65) is STRICKEN. Plaintiff shall be permitted to re-file a third amended complaint that comports with the memorandum and order of court (Doc. 63) dated February 18, 2009.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge